



RON CHAPMAN, MD, MPH
Director & State Health Officer

State of California—Health and Human Services Agency
CALIFORNIA DEPARTMENT OF PUBLIC HEALTH



EDMUND G. BROWN JR.
Governor

July 10, 2013
Certified Mail/Return
Receipt Requested
7009 1680 0001 3113.3117

The Parkway RV Resort
6330 County Road 200
Orland, CA 95963

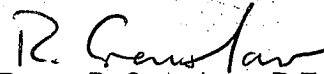
Attention: John & Marian Smutny, Owners

Subject: The Parkway RV Resort – Public Water System No. 1100439 – Citation No. 21-13C-007 for Exceeding the Bacteriological Maximum Contaminant Level in June 2013

Enclosed is a citation issued to The Parkway RV Resort water system (System). The citation is being issued because the System failed to comply with the drinking water standard for total coliform bacteria during June 2013. Please be aware that the Directives section of the citation contains required actions that must be taken by the System to return to compliance.

Note that Section 116577 of the California Safe Drinking Water Act provides for our Department to be reimbursed by the public water system for costs incurred for preparing and issuing a citation to that system. In accordance with Section 116577, the System will be billed for the preparation and issuance of this citation. Our current costs are approximately \$126 per hour. The estimated time to prepare the citation is one hour.

If you have any questions regarding this matter, please call staff engineer Ray Bruun at (530) 224-3252 or me at (530) 224-4861.


Reese B. Crenshaw, P.E.
Valley District Engineer
DRINKING WATER FIELD
OPERATIONS BRANCH

Enclosure

cc: Glenn County Environmental Health Department

1 **Citation No. 21-13C-007**

2
3 **STATE OF CALIFORNIA**
4 **DEPARTMENT OF PUBLIC HEALTH**

5
6 **Public Water System:** The Parkway RV Resort

7 **Water System No.:** 1100439

8
9 **To:** The Parkway RV Resort
10 Attention: John & Marian Smutny, Owners
11 6330 County Road 200
12 Orland, CA 95963

13
14 **Issued:** July 10, 2013
15 VIA CERTIFIED MAIL

16
17 **CITATION FOR NONCOMPLIANCE**
18 **With Title 22 California Code of Regulations**
19 **Section 64426.1(b)**

20
21 Section 116650 of the California Health and Safety Code (CHSC) authorizes the
22 issuance of a citation for failure to comply with a requirement of the California Safe
23 Drinking Water Act (CHSC, Division 104, Part 12, Chapter 4, commencing with
24 Section 116270), or any regulation, standard, permit, or order issued thereunder.

25
26 The Division of Drinking Water and Environmental Management of the California
27 Department of Public Health (Department) hereby issues a citation to The Parkway



1 RV Resort water system for failure to comply with Section 64426.1(b), Title 22, of the
2 California Code of Regulations (CCR).

3
4 **APPLICABLE AUTHORITIES**

5 Section 116650 of the CHSC states in relevant part:

6
7 (a) If the department determines that a public water system is in
8 violation of this chapter or any regulation, permit, standard, citation,
9 or order issued or adopted thereunder, the department may issue a
10 citation to the public water system. The citation shall be served upon
11 the public water system personally or by certified mail. Service shall
12 be deemed effective as of the date of personal service or the date of
13 receipt of the certified mail. If a person to whom a citation is directed
14 refuses to accept delivery of the certified mail, the date of service
15 shall be deemed to be the date of mailing.

16
17 (b) Each citation shall be in writing and shall describe the nature of the
18 violation or violations, including a reference to the statutory
19 provision, standard, order, citation, permit, or regulation alleged to
20 have been violated.

21
22 (c) A citation may specify a date for elimination or correction of the
23 condition constituting the violation.

24
25 (d) A citation may include the assessment of a penalty as specified in
26 subdivision (e).

27



1 (e) The department may assess a penalty in an amount not to exceed
2 one thousand dollars (\$1,000) per day for each day that a violation
3 occurred, and for each day that a violation continues to occur. A
4 separate penalty may be assessed for each violation.
5

6 Section 64426.1(b), Title 22, of the CCR states in relevant part:
7

8 (b) A public water system is in violation of the total coliform MCL
9 [maximum contaminant level] when any of the following
10 occurs:
11

12 (1) For a public water system which collects at least 40
13 samples per month, more than 5.0 percent of the
14 samples collected during any month are total coliform-
15 positive; or
16

17 (2) For a public water system which collects fewer than 40
18 samples per month, more than one sample collected
19 during any month is total coliform-positive; or
20

21 (3) Any repeat sample is fecal coliform-positive or E. coli-
22 positive; or
23

24 (4) Any repeat sample following a fecal coliform-positive
25 or E. coli-positive routine sample is total coliform-
26 positive.
27



1 STATEMENT OF FACTS

2 The Parkway RV Resort (System) domestic water system is classified as a transient
3 noncommunity water system serving an average of 25 persons per day. As such, the
4 System is required to collect one routine bacteriological sample per quarter according
5 to Section 64423 of Title 22. On June 12, 2013, the System collected one routine
6 sample from the distribution system, which contained total coliform bacteria. On
7 June 18, 2013, four repeat samples were collected from designated locations; all
8 samples contained total coliform bacteria. None of the samples that contained total
9 coliform bacteria tested positive for E. coli. A subsequent site visit by CDPH staff
10 discovered that the upper part of the well casing was completely rusted through. The
11 System was informed, by CDPH, that a new well would need to be drilled. The
12 System has since received approval from CDPH for a new well location and
13 contacted a well driller who has obtained a well drilling permit from Glenn County.
14 Once the well has been drilled, another party will be contracted to complete the well
15 appurtenances (e.g., pump, flow meter, piping, valves, etc.) and connect the new well
16 to the existing distribution system.

17

18 On June 24, 2013, the System delivered a boil water notice to all customers and also
19 posted the notice in the laundry room, the club house, and the main office. A
20 certification of public notice was faxed to CDPH the same day.

21

22 DETERMINATIONS

23 The Department has determined that the System violated Section 64426.1(b)(2), Title
24 22, of the CCR, in that the System exceeded the total coliform MCL during the month
25 of June 2013.

26

27



1 **DIRECTIVES**

2 The System is hereby directed to take the following actions:

3

- 4 1. Comply with the total coliform MCL specified in Section 64426.1, Title 22, of
5 the CCR, in all future monitoring periods.
- 6 2. Install a new drinking water well that is constructed in accordance with
7 relevant state standards.
- 8 3. Submit a complete application (including filing fee) for a permit amendment
9 allowing operation of the new drinking water well.

10

11 Nothing in this Citation relieves the System of its obligation to meet the requirements
12 of Health and Safety Code, Division 104, Part 12, Chapter 4 (California Safe Drinking
13 Water Act), or any regulation, permit, standard or order issued or adopted
14 thereunder.

15

16 The Department reserves the right to make modifications to this Citation, as it may
17 deem necessary, to protect public health and safety. Such modifications may be
18 issued as amendments to this Citation and shall be effective upon issuance.

19

20 **FURTHER ENFORCEMENT ACTION**

21 Division 104, Part 12, Chapter 4, (commencing with section 116270) of the California
22 Health and Safety Code authorizes the Department to: issue additional citations with
23 assessment of penalties if the System continues to fail to correct a violation identified
24 in a citation; take action to suspend or revoke a permit that has been issued to a
25 public water system if the system has violated applicable law or regulations or has
26 failed to comply with orders of the Department; and petition the superior court to take
27 various enforcement measures against a public water system that has failed to



1 comply with orders of the Department. The Department does not waive any further
2 enforcement action by issuance of this Citation.

3

4 **PARTIES BOUND**

5 This Citation shall apply to and be binding upon the System, its officers, directors,
6 agents, employees, contractors, successors, and assignees.

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8 **SEVERABILITY**

9 The directives of this Citation are severable, and the System shall comply with each
10 and every provision thereof notwithstanding the effectiveness of any other provision.

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R. Crenshaw

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Reese B. Crenshaw, P.E., District Engineer
Valley District
Drinking Water Field Operations Branch

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7/10/13

Date

